

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In the Matter of

Rules and Regulations Implementing
Minimum Customer Account Record
Exchange Obligations on All Local and
Interexchange Carriers

CG Docket No. 02-386

COMMENTS OF VERIZON¹

I. Introduction and Summary.

The Commission should not require the incumbent local exchange carriers to make up for the deficiencies of their competitors. The Commission correctly observes that the migration of customers to competitive local exchange carriers has affected the ability of interexchange carriers to bill for long distance services to those customers because some competitive local exchange carriers do not exchange information with the interexchange carriers using the industry standard Customer Account Record Exchange (“CARE”) process.² The solution to this problem is not to burden the incumbent local exchange carriers, who already support CARE, with the obligation to inform the interexchange carriers about the identity of the competitive local exchange carrier that

¹ These comments are submitted on behalf the affiliated local telephone companies of Verizon Communications Inc. listed in Attachment A (“Verizon local exchange carriers”), and the Verizon long distance companies (NYNEX Long Distance Company d/b/a Verizon Enterprise Solutions, Verizon Select Services Inc., and Bell Atlantic Communications, Inc. d/b/a Verizon Long Distance), (collectively, “Verizon”).

² *See Rules and Regulations Implementing Minimum Customer Account Record Exchange Obligations on All Local and Interexchange Carriers*, Notice of Proposed Rulemaking, 19 FCC Rcd 5688, ¶ 2 (2004) (“Notice”).

is serving the customer, nor to require the industry to bear the cost of developing a nationwide database. The Commission should solve this problem directly by requiring all competitive local exchange carriers to support CARE. Nor should the Commission adopt performance standards for exchange of CARE information between carriers. There has been no showing that carriers who already support CARE are not meeting each other's expectations.

II. The Commission Should Not Require Incumbent Local Exchange Carriers To Provide Information About End Users Who Receive Local Exchange Service From Other Carriers.

The Commission should not adopt the proposal to require incumbent local exchange carriers who no longer serve a particular end user customer to indicate the identity of the other carrier that is providing local service to that customer. *See Notice*, ¶ 12. An incumbent local exchange carrier that has lost a customer is unlikely to know where that customer has gone, except for resale or when the number is ported to a specific competitive local exchange carrier. A customer that disconnects from an incumbent local exchange carrier may have stopped service entirely, have gone to another carrier, or have moved to another communications medium such as voice over Internet protocol. The incumbent local exchange carrier would have no way of knowing where or from whom the customer might be obtaining replacement local exchange service at that point. Even if it knew, there would be no guarantee that the end user would have chosen to continue to receive interexchange service from the same interexchange carrier to whom it had presubscribed when it was served by the incumbent. It would be unfair and impractical to require the incumbent local exchange carriers to make up for the shortcomings of their competitors, which they cannot do as a practical matter.

The proper solution is to require the new carriers to support CARE in the same way that the incumbent local exchange carriers do. If they did, the issue would be moot, because the new carrier would transmit one of the 20XX codes indicating that the end user is presubscribed to the interexchange carrier, in addition to the BNA information necessary for billing.³ If the interexchange carrier did not receive such information from the new carrier, the disconnect code transmitted by the old carrier would inform the interexchange carrier that it should terminate billing for that customer.

AT&T has argued that when a customer of a wireline carrier ports its telephone number to a wireless carrier, who typically provides long distance service as part of its wireless service, the interexchange carrier that was serving the customer on the wireline network may continue billing the end user because there is no procedure in place to notify the interexchange carrier that the customer has switched. *See Notice*, ¶ 13. This is incorrect. When a wireline carrier ports a number to a wireless carrier, it will use code 2231 to indicate “Service disconnect – Number portability.” The definition of 2231 starts out with “End user disconnected service due to transfer to a new LSP. A 20XX may be received from the new LSP if the PIC has not changed.”⁴ An interexchange carrier would have no reason to continue billing the customer unless it received a 20XX from the new local service provider, regardless of whether that provider was wireline or wireless. In addition, by the end of 2004, Verizon will add a “W” to code 2231, Service Disconnect – Number Portability, to indicate when a number is ported to a wireless carrier.

³ As the Commission notes, section 64.1201 of its rules requires all local exchange carriers, including competitive local exchange carriers, to provide BNA data to the interexchange carriers. *See Notice*, ¶ 9.

⁴ ATIS, *Equal Access Subscription Customer Account Record Exchange (CARE) Industry Support Interface*, at 8.9-19 (July 2003).

III. The Commission Should Not Adopt Performance Measures for the Exchange of CARE Data.

The Commission should not adopt performance standards for the timeliness, accuracy, and completeness of CARE information that have been proposed by the Joint Petitioners. *See Notice*, ¶ 16. There is no reason to burden the carriers with additional regulatory review and threats of punishment when the process has been satisfactory for all carriers that support CARE standards. Carriers who support CARE do so because the timely and accurate exchange of subscriber information allows them to provide better service to their customers. For this reason, there have been no complaints between carriers who currently support CARE. The problem is that *other* carriers do not support CARE at all. If they did, the issues discussed in the *Notice* probably would never have arisen. Adding the threat of punishment for “performance failures” would only stifle the further development of CARE in the industry forums, as carriers would resist adopting new CARE codes if doing so would expose them to increased potential for enforcement.

In addition, the proposal for performance standards is one-sided in that it contemplates enforcement only against the local exchange carriers. The CARE standards apply as well to the interexchange carriers, who must use the CARE codes in an accurate and timely manner if they want the local exchange carriers to implement their instructions and respond to requests for information. For example, the 21XX, 31XX, 41XX, and 26XX TCSIs are reject codes that are used by the local exchange carrier to inform the interexchange carrier that its order is defective and needs to be corrected before it can be processed. The local exchange carrier incurs costs and loses time in rejecting these incorrect orders. Should the interexchange carrier be punished if the level of rejects reaches a certain level? Since both parties have the same interest in processing

information without error or delay, there is no reason to use the possibility of external punishment as an additional motivator.

IV. The Commission Should Not Require The Industry To Develop A Line Level Database.

The Commission should reject Americatel's proposal for the industry to develop a database of customer line information, including credit information, to address issues concerning the billing of dial-around traffic. *See Notice*, ¶ 17. This issue has arisen because some providers of dial-around service, which allows a customer to make long distance calls by dialing 10-XXXX numbers, do not have established business relationships with some customers making these types of calls. However, as Americatel admits, this is an issue only where dial-around carriers have not entered into billing and collection agreements with local exchange carriers or exercised their right to obtain BNA information from the local exchange carriers pursuant to section 64.1201 of the Commission's rules. *See id.* Since these options allow effective billing by dial-around carriers, there is no need for the Commission to burden the industry with a requirement to create an expensive and unwieldy national database. Moreover, a requirement that all carriers respond to requests to exchange information on a mechanized basis using the CARE format would improve the ability of dial-around carriers to obtain BNA information (see codes 0501, 2503, and 2504).

As the Commission notes, the proposed database is not a short-term solution, as it would take considerable time just to achieve consensus on the design and function of the database. *See id.*, ¶ 19. This issue has been discussed in the OBF, but the industry has not been able to reach consensus on a database solution despite years of review and analysis. It would require a huge database to provide information about every end user line in the country, and the effort to keep it updated for all carriers on a real-time basis would be enormous. The expense of maintaining this

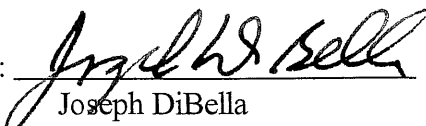
database would duplicate the costs that the carriers already incur to maintain their internal customer account databases. The Commission should not begin pursuing such an expensive and burdensome requirement when the Commission's rules already give the interexchange carriers the right to get billing information about their customers from the local exchange carriers.

Conclusion

The Commission should not require the incumbent local exchange carriers to make up for the failure of other carriers to provide customer information to the interexchange carriers in the CARE format. Rather, it should require the competitive local exchange carriers who do not already support CARE to do so.

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THE VERIZON TELEPHONE COMPANIES

The Verizon telephone companies are the local exchange carriers affiliated with Verizon Communications Inc. These are:

Contel of the South, Inc. d/b/a Verizon Mid-States
GTE Midwest Incorporated d/b/a Verizon Midwest
GTE Southwest Incorporated d/b/a Verizon Southwest
The Micronesian Telecommunications Corporation
Verizon California Inc.
Verizon Delaware Inc.
Verizon Florida Inc.
Verizon Hawaii Inc.
Verizon Maryland Inc.
Verizon New England Inc.
Verizon New Jersey Inc.
Verizon New York Inc.
Verizon North Inc.
Verizon Northwest Inc.
Verizon Pennsylvania Inc.
Verizon South Inc.
Verizon Virginia Inc.
Verizon Washington, DC Inc.
Verizon West Coast Inc.
Verizon West Virginia Inc.